

MARGIE L. RICE
Mayor

KERMIT MARSH
Mayor Pro Tem

FRANK G. FRY
Council Member

ANDY QUACH
Council Member

TRI TA
Council Member



AGENDA

CITY COUNCIL/REDEVELOPMENT AGENCY SPECIAL/ADJOURNED AND REGULAR MEETING

November 14, 2007

5:00 p.m. - Council Conference Room
5:30 p.m. & 7:00 p.m. – Council Chambers

8200 WESTMINSTER BOULEVARD
WESTMINSTER, CALIFORNIA 92683

If you need special assistance to participate in this meeting, please contact the City Clerk's office at (714) 898-3311. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 American Disabilities Act Title II)

AGENDA INFORMATION

MEETINGS

Regular Meetings of the City Council/Redevelopment Agency are held the second and fourth Wednesday of each month at the hour of 6:00 p.m. (5:00 p.m. if deemed necessary) for Closed Session matters, if required. **The public session of the meeting shall commence at 7:00 p.m.** or as soon thereafter as possible.

While in the City Council Chamber, please *turn off* all cellular phones and pagers.

AGENDA INFORMATION

The agenda contains a brief general description of each item to be considered. Agendas are available at the entryway of the Council Chambers. Supporting documentation to each agenda item is available in the entryway for public review.

PUBLIC COMMENTS

Pursuant to Government Code Section 54954.3, members of the public may address the City Council/Redevelopment Agency/Public Financing Authority during each item on the agenda as called. Oral Communications is held after the Consent Calendar portion of the agenda and provides the public an opportunity to address any items of interest **not on the agenda** that are within the subject matter jurisdiction. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

To address the City Council/Redevelopment Agency on any matter, complete a "Request to Speak" form located at the entrance to the Council Chambers. Present the form to the City Clerk prior to being heard by the City Council. When speaking, please face the City Council and state your name and address for the record.

AGENDA ON THE INTERNET:

The Agenda is available at <http://www.ci.westminster.ca.us>. The agenda can be accessed on the internet on the Friday before the meeting on Wednesday.

TELEVISED MEETING SCHEDULE

Regular City Council/Agency meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Monday and Friday at 11:00 a.m.; Tuesday, Wednesday and Thursday at 7:00 p.m.; Wednesday at 12 noon; and Saturday and Sunday at 6:00 p.m.

PUBLIC USE OF COUNCIL CHAMBER EQUIPMENT

All computer presentations must be e-mailed or provided on a CD-ROM to the City Clerk at least 48 hours prior to the meeting. Items to be displayed on the overhead projector must be submitted to the City Clerk for review prior to use of the equipment.

AGENDA

November 14, 2007

5:00 P.M.

CLOSED SESSION

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY
DURING ANY ITEM TO BE CONSIDERED IN CLOSED SESSION.

CALL TO ORDER:

ROLL CALL

PRESENT:

ABSENT:

CLOSED SESSION:

The City Council/Redevelopment Agency will recess to a Closed Session for the following purposes:

- 1) Conference with Legal Counsel pursuant to Government Code Section 54956.9(b): Anticipated Litigation (one potential case) re. EMS Emergency Transportation Services.

RECESS:

AGENDA

November 14, 2007

5:30 P.M.

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY OR PUBLIC FINANCING AUTHORITY DURING EACH ITEM ON THE AGENDA AS CALLED.

The City Council/Redevelopment Agency of the City of Westminster will regularly convene in joint session for the purpose of considering the following City Council/Redevelopment Agency Agenda items. The Westminster Public Financing Authority is also an agency on which Council serves as members. This Agency may also have items scheduled.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

SALUTE TO THE FLAG: Council Member Fry

ROLL CALL: RICE, MARSH, FRY, QUACH, TA

PRESENT:

ABSENT:

1. **Presentation from the Urban Land Institute (ULI) on the Study of Little Saigon.**

RECOMMENDATION: Staff recommends that the Study be referred to the Economic Development Strategy Preparation.

RECESS:

AGENDA

November 14, 2007

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7:00 P.M.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

ROLL CALL: RICE, MARSH, FRY, QUACH, TA

PRESENT:

ABSENT:

SALUTE TO FLAG: Council Member Ta

INVOCATION:

SPECIAL PRESENTATIONS

- A. Commendation to Chrysler Financial for choosing American Family Housing for an improvement project on Locust Street

REPORT FROM CITY CLERK ON LATE COMMUNICATION ITEMS

AGENDA

November 14, 2007

1. CONSENT CALENDAR

ALL MATTERS LISTED UNDER THE CONSENT CALENDAR ARE CONSIDERED ROUTINE AND WILL BE ENACTED BY ONE VOTE. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS MEMBERS OF THE CITY COUNCIL/REDEVELOPMENT AGENCY/PUBLIC FINANCING AUTHORITY, THE PUBLIC, OR STAFF REQUEST SPECIFIC ITEMS BE REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE ACTION OR DISCUSSION.

COMPLETE THE ATTACHED GREEN FORM AND GIVE TO THE CITY CLERK PRIOR TO THE CONSENT CALENDAR PORTION OF THE AGENDA. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.

APPROVAL OF MINUTES

- 1.1 (City Council/Redevelopment Agency) Minutes of the Regular Meeting of the City Council/Redevelopment Agency of October 10, 2007.
(Marian Contreras)

RECOMMENDATION: Approve.

ROUTINE MATTERS

- 1.2 Proclamation declaring November 14, 2007 as World Diabetes Day in the City of Westminster.

RECOMMENDATION: Approve.

- 1.3 First Amendment and Complete Restatement of the Agreement for the Commitment of Match Obligation dated September 21, 1998.
(Kathy Johnston)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the First Amendment and Complete Restatement of the Agreement for the Commitment of Match Obligation dated September 21, 1998 between the City and American Family Housing, Inc. for property located at 7372 Wyoming Street.

AGENDA

November 14, 2007

1. CONSENT CALENDAR (Continued)

1.4 Selection of Consultant for Design Services of Hoover Park Extension (3.25 acres located north of the existing Hoover Park at 7482 21st Street). (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council award an Agreement for Professional Services to Kobata Associates, Inc. in the amount of \$33,700.00 to perform landscape architectural design services for greenbelt landscaping, irrigation, hardscape walking trail, and amenities for the Hoover Park Extension, and authorize the City Manager to execute the agreement on behalf of the City.

1.5 Amendment No. 11 to Cooperative Agreement No. C-95-995 with the Orange County Transportation Authority for Measure "M" Funded Work. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the subject amendment and authorize the Mayor to execute the amendment on behalf of the City.

1.6 Award of Contract for Liberty Park Restroom/Storage Building. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council award the subject contract to the low qualified bidder, Macerich Construction, Inc. in the amount of \$175,000.00; reject all other bids; and authorize the City Manager to execute the contract on behalf of the City.

1.7 Purchase of Two Diesel Particulate Filters for the WOW Senior Transportation Vans. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the purchase of two Diesel Particulate Filters from Cummins Cal Pacific, in amount not to exceed \$28,845.76.

ORDINANCES (SECOND READING)/RESOLUTIONS

1.8 Ordinance No. 2421 - An Ordinance of the Mayor and City Council of the City of Westminster authorizing an amendment to the contract between the City Council of the City of Westminster and the Board of Administration of the California Public Employees' Retirement System to Provide Section 21574 (Fourth Level of 1959 Survivor Benefits) and Section 21354.4 (2.5% @ Age 55 Full and Modified Formula) for Local Miscellaneous Members Only. (Eddie Manfro)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Ordinance No. 2421 and waive further reading.

AGENDA

November 14, 2007

1. CONSENT CALENDAR (Continued)

- 1.9 **Resolution No. 4122 – A Resolution of the Mayor and City Council of the City of Westminster fixing the employer's contribution under the Public Employees' Medical and Hospital Care Act (PEMHCA).** (Eddie Manfro)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4122.

WARRANT REGISTER

- 1.10 **(City Council/Redevelopment Agency) Warrant Register dated October 17 through November 6, 2007.** (Paul Espinoza)

RECOMMENDATION: Approve.

INFORMATION AND REPORTS

- 1.11 **Minutes of the Traffic Commission meeting held on October 30, 2007.** (Marwan Youssef)

RECOMMENDATION: Receive and file.

- 1.12 **Minutes of the Planning Commission meeting held on October 3, 2007.** (Don Anderson)

RECOMMENDATION: Receive and file.

- 1.13 **Minutes of the Community Services & Recreation Commission meetings held on June 13, 2007 and September 12, 2007.** (Greg Johnson)

RECOMMENDATION: Receive and file.

- 1.14 **Minutes of the Cultural Arts Commission meetings held on June 7, 2007 and August 30, 2007.** (Greg Johnson)

RECOMMENDATION: Receive and file.

- 1.15 **Community Development Monthly Report – October 2007.** (Don Anderson)

RECOMMENDATION: Receive and file.

END OF CONSENT CALENDAR

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AGENDA

November 14, 2007

2. ORAL COMMUNICATIONS

THIS IS THE TIME OF THE MEETING THAT MEMBERS OF THE PUBLIC MAY ADDRESS THE CITY COUNCIL/REDEVELOPMENT AGENCY REGARDING ANY ITEMS OF INTEREST NOT ON THE AGENDA THAT ARE WITHIN THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL/AGENCY BOARD. COMMENTS SHALL BE LIMITED TO THREE MINUTES PER SPEAKER.

COMPLETE THE ATTACHED GREEN FORM AND GIVE IT TO THE CITY CLERK. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.

3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

3.1 The actions of the Planning Commission meeting held on November 7, 2007.

RECOMMENDATION: That the City Council determine if they wish to call up any items for review from the Planning Commission meeting of November 7, 2007

- 1) Case 2007-39 Design Review, involving exterior architectural modifications to an existing freestanding restaurant (Kentucky Fried Chicken). Location: 6641 Westminster Boulevard.
- 2) Case 2007-57 Conditional Use Permit, Site Plan, and Design Review to allow the construction of a new church sanctuary and demolish and remodel a portion of the existing Reformation Lutheran Church building. Location: 15750 Magnolia Street.
- 3) Case 2007-74 Conditional Use Permit, Site Plan Review, and Design Review involving an addition to the Westminster Mall to establish a new restaurant (Elephant Bar) along with a full service bar.

4. PUBLIC HEARINGS – None.

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

5.2 AB 1234 Reports - None

AGENDA

November 14, 2007

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Report on City-Wide Electronic Document Management System (EDMS) (Marian Contreras)

RECOMMENDATION: Receive and file.

6.2 First Amendment to Consulting Services Agreement with Willdan to provide temporary Planning staff services. (Don Anderson)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Authorize an appropriation of \$9,500 from the Community Development Fund – 285 Undesignated Balance to Planning & Zoning Contractual; and
- 2) Approve the First Amendment to the Consulting Services Agreement with Willdan for an increase of \$9,500 for a total amount not to exceed \$24,500, and authorize the City Manager to execute the agreement amendment on behalf of the City.

6.3 Purchase of One Used Sedan for the Police Department (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Transfer \$21,000 from the Fund Balance to the Equipment Replacement Fund; and
- 2) Approve an increase in the purchase order to Ray's Auto Sales in the amount of \$21,000 to purchase one used sedan.

6.4 Award of Contract for new Traffic Signal Installations at Newland Street and Oasis Avenue and at Edwards Street and Trask Avenue; and, Traffic Signal Modifications at Goldenwest Street and Hazard Avenue, Goldenwest Street and Trask Avenue, and Westminster Boulevard and Monroe/Street/All American Way (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Reallocate \$160,968.45 from the Street Repair Fund to the appropriate Project Account Numbers as listed under Fiscal Impact in the Staff Report; and
- 2) Award the contract to the low qualified and responsive bidder, TDS Engineering in the amount of \$691,169.00; reject all other bids; and authorize the City Manager to execute the contract on behalf of the City.

AGENDA

November 14, 2007

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR (Continued)

6.5 Identification of New Police Building Site and Possible Incorporation of a Civic Center Parking Structure into the Design (Andy Hall)

RECOMMENDATION: Staff recommends the Mayor and City Council approve the identification of the revised police building site from Jackson Street to All American Way, and authorize staff to obtain cost estimates for the incorporation of a Civic Center parking structure into the design.

6.6 City Council/Redevelopment Agency December, 2007 and January, 2008 Meeting Dates (Marian Contreras)

RECOMMENDATION: Staff recommends that the Mayor/Chair and City Council/Agency Board consider:

- 1) Canceling the Wednesday, December 26, 2007 meeting (City Hall furlough closure); and
- 2) Rescheduling the regular meeting dates from Wednesday, January 9 and 23, 2008 to Wednesday, January 16 and 30, 2008.

7. WRITTEN COMMUNICATIONS (Public) – None.

8. LEGISLATIVE ITEMS

8.1 Amendments to the 2007 Edition of the California Building Code, Electrical Code, Mechanical Code, Plumbing Code and Fire Code. (Don Anderson)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Adopt Resolution No. 4125 entitled, "A Resolution of the Mayor and City Council of the City of Westminster setting forth findings based on local conditions within the City of Westminster which make certain modifications and changes to the California Building Code, the California Plumbing Code, the California Mechanical Code and the California Electrical Code Reasonably Necessary;
- 2) Introduce Ordinance No. 2424 entitled, "An Ordinance of the Mayor and City Council of Westminster amending Title 15 by deleting Chapter 15.08, 15.12, 15.16, 15.20, 15.22, 15.32, and 15.36 of the Westminster Municipal Code to repeal previous editions of the model codes and to replace with new Chapters 15.08, 15.12, 15.16, 15.20, 15.22, 15.32, and 15.36 adopting and amending the 2007 Editions of the California Codes and Related Model Codes", and waive further reading; and
- 3) Schedule a public hearing and adoption of Ordinance No. 2424 for November 28, 2007 at 7:00 PM.

AGENDA

November 14, 2007

9. COMMISSION AND COMMITTEE ITEMS

9.1 Update of the Engineering and Traffic Surveys for Westminster Boulevard, from Edwards Street to Bushard Street, and Bolsa Avenue, from Magnolia Street to Ward Street – T.C. 74-186 (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the update of the Engineering and Traffic Surveys for Westminster Boulevard between Edwards Street and Bushard Street and Bolsa Avenue between Magnolia Street and Ward Street.

9.2 Parking Restrictions on the south side of Heil Avenue, west of Magnolia Street – T.C. 75-114 (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4124 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for no parking or stopping at a certain location on the south side of Heil Avenue, west of Magnolia Street."

10. COUNCIL/AGENCY ADJOURNMENT:

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the City Council/Redevelopment Agency meeting.

Marian Contreras

Marian Contreras, City Clerk/Agency Secretary